

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
 Date: September 28, 2006 Name: Heidi A. Dare, Reg. No. 50,775 Signature: Heidi A. Dare

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Christof Westenfelder**

Appln. No.: **10/551,317**

Filed: **September 29, 2005**

For: **Stem- Cell, Precursor Cell, or Target Cell-
Based Treatment of Multiorgan Failure and
Renal Dysfunction**

Examiner: To Be Assigned

Art Unit: To Be Assigned

Attorney Docket No: **10402-26**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Power of Attorney; copy of Assignment
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☒ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$0

Fee payment:

- ☐ Checks in the amounts of \$_____ for the enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

September 28, 2006
Date

Heidi A. Dare
Heidi A. Dare (Reg. No. 50,775)



Inventor: Christof Westenfelder
Title of Appln.: Stem-Cell, Precursor Cell, or Target Cell-Based Treatment of
Multiorgan Failure and Renal Dysfunction

**POWER OF ATTORNEY BY ASSIGNEE
AND CORRESPONDENCE ADDRESS INDICATION**

The specification of the above-identified patent application:

- ☐ is attached hereto.
☒ was filed on September 29, 2005 as U.S. application No. 10/551,317

As required by 37 CFR 3.73(b)(1), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

University of Utah Research Foundation, a university of higher education and non-profit corporation, ("ASSIGNEE") certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the University of Utah and from the University of Utah Research Foundation, copies thereof are attached; OR
☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:
1. From _____ to _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.
 2. From _____ to _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy of which is attached.
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

ASSIGNEE hereby revokes all previously granted powers of attorney in the above identified patent application and appoints the Practitioners associated with the following Customer Number as its attorneys, with full power of substitution and revocation, to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent(s), to transact all business in the United States Patent and Trademark Office connected therewith, and to act on ASSIGNEE'S behalf before the competent International Authorities in connection with any and all international applications filed by ASSIGNEE:

Customer No. 00757 - Brinks Hofer Gilson Lione

Please recognize or change the correspondence address for this application to the address associated with the above-mentioned Customer Number. Please direct all telephonic and facsimile communications to:

Heidi A. Dare, Reg. No. 50,775
Tel.: (312) 321-4200; Fax: (312) 321-4299

The undersigned hereby authorizes the Practitioners associated with the above Customer Number to accept and follow instructions from individuals at the University of Utah Technology Commercialization Office as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the Practitioners and the undersigned. In the event of a change in the persons from whom instructions may be taken, the Practitioners will be so notified by the undersigned.

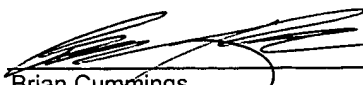
The undersigned (whose title is supplied below) is empowered to act on behalf of ASSIGNEE.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Name:

Title:

 Date: 8 Sept 2006
Brian Cummings
Director, Technology Commercialization Office

ASSIGNMENT

WHEREAS, University of Utah, a university of higher education and a non-profit corporation, organized and existing under the laws of the State of Utah, having place of business at 201 President's Circle, Salt Lake City, Utah 84112 U.S.A., hereinafter called the "Assignor", is the assignee of record of a part interest of the invention by virtue of an assignment from the inventor of the United States Patent Application Serial No. 10/551,317, entitled STEM-CELL, PRECURSOR CELL, OR TARGET CELL-BASED TREATMENT OF MULTIORGAN FAILURE AND RENAL DYSFUNCTION, filed September 29, 2005. A copy of this assignment is attached hereto;

WHEREAS, University of Utah Research Foundation, a university of higher education and non-profit corporation, organized and existing under the laws of the State of Utah, having place of business at 615 Arapeen Drive, Suite 310, Salt Lake City, Utah 84108, U.S.A., hereinafter called the "Assignee", desires to acquire the entire right, title and interest of the University of Utah's part interest in and to the invention and the provisional patent application identified above, and all patents which may be obtained for said invention, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by the Assignor from the Assignees is hereby acknowledged, the Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer to the Assignees, the entire right, title and interest for the United States in and to the invention and the provisional patent application identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to

hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.


The Assignor hereby covenants and agrees, for both the Assignor and the Assignor's legal representatives, that the Assignor will assist the Assignees in the prosecution of the patent application identified above; in the making and prosecution of any other patent applications that the Assignees may elect to make covering the invention identified above; in vesting in the Assignees like exclusive title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said invention, or any such patent application or patent; and that the Assignor will execute and deliver to the Assignees any and all additional papers which may be requested by the Assignees to carry out the terms of this Assignment.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignees in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignor has executed this agreement.

DATED:

8 Sept 2006

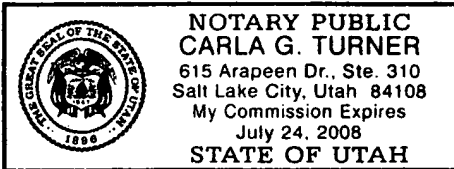


Brian Cummings
University of Utah

STATE OF)
) ss.
COUNTY OF)

I, Carla G. Turner, a Notary Public in and for the County and State aforesaid, do hereby certify that Brian Cummings, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 8th day of September, 2006.



Carla G. Turner
Notary Public

My Commission Expires: